

Remarks

Claim for Priority

Applicants submit herewith a certified copy of ROC (Taiwan) Patent Application No. 092208756 for which applicants have previously claimed priority. Also enclosed is a Statement of Accuracy of Translation of Priority Document (37 C.F.R. § 1.55 (a)).

Claim Rejections -35 USC §102

According to the amended independent Claim 1, applicants submit that the following features, especially the newly added underlined limitations, are not found or suggested by the cited prior art:

- (1) a key operating means comprising a latching tube and a key, wherein the latching tube is received and operative to be moved within the casing and adapted to receive the key therein and moved in conjunction with the movement of the key; and
- (2) a stop member driven by the latching tube so as to be moved in conjunction with the latching tube operated by the key between a first position where the first end of the shackle can be rotated by using the second end thereof as a center of rotation when the axial movement of the second end of the shackle is limited by the locking mechanism, and a second position where the stop member prevents the first end of the shackle from moving and the shackle and the casing co-define a closed loop.

Applicants therefore submit that the amended Claim 1 is clearly not anticipated by Chun-Te et al 5,868,012, Smith 1,755,521 or Yang 6,539,761, respectively. In addition, dependent Claims 2 - 13 are also not anticipated by said prior art for at least the same reasons.

Applicants also submit that the amended Claim 1 is not anticipated by the prior art of Taylor 2002/0088256. Taylor discloses a push button padlock comprising a

thumb latch assembly 24 and a thumb latch 90. It is clear that the shackle sleeve 96 can be moved allowing one end of the shackle to be free from rotation only when the thumb latch 90 is depressed by a user (paragraph 44, line 13-21); the movement of the key cylinder lock 26 is clearly not related to the movement of the shackle sleeve 96. (paragraph 46, line 24-33). Taylor fails to disclose a stop member driven by a latching tube and moved in conjunction with the movement of the latching tube and of the key. Therefore, applicants submit that independent Claim 1 is not anticipated by Taylor. In addition, dependent Claims 2-13 are also not anticipated by Taylor for at least the same reasons.

Claim Rejections -35 USC §103

Regarding the Examiner's rejection of dependent Claims 5 and 6 based on the reason that Claims 5 and 6 are obvious to the person skilled in the art in view of Yang 6,539,761, Taylor '265 or Loughlin et al '624 or Loughlin et al '324, applicants respectfully disagree with the Examiner. The content of the subject invention recites that the latching tube 13 of the subject invention recites that the latching tube 13 of the subject invention is a conventional member, the detailed structure thereof is not further discussed hereinafter (referring to page 5, line 29-31) and that the embodiment of the subject invention utilizing disc tumblers or pin tumblers is not obvious in view of the prior art of Yang or Taylor since independent Claim 1, from which Claims 5 and 6 depend, is not obvious based on Yang or Taylor while the cited references of Loughlin et al '624 and '324 cannot be considered since the priority date of the subject application is established.

Inventive Step of Claim 1:

Though the examiner only challenged the "novelty" of Claim 1, the applicant would like to further provide facts indicating the "non-Obviousness" of the subject invention over the prior art. The advantages and benefits of the subject invention includes providing a better strength in the structure of the shackle of a padlock, a simplified manufacturing process of a padlock and in particular its shackle, a dual-locking mechanism to a padlock and a simple and reliable locking/unlocking operation

to the user. Please refer to page 2, line 2-8; page 2, line 10-13; and page 13, line 7-10. Due to the technical features recited in Claim 1, the subject invention may accomplish the inventive purpose and advantageous improvements that cannot be accomplished and are not suggested by the prior art either alone or in combination. The subject invention therefore should be considered as non-obvious based on the prior art.

In view of the above, applicants submit that the application is now in condition for allowance and a notice to that effect is earnestly solicited.

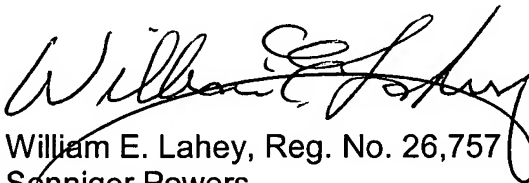
Conclusion

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Enclosed with this amendment, is the Statement of Accuracy of Translation of Priority Document (37 C.F.R. § 1.55(a)) and a certified copy of the priority document.

It is believed that no fees are due in connection with this Amendment A. If, however, the Commissioner determines a fee is due, he is hereby authorized to charge said government fees to Deposit Account No. 19-1345.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William E. Lahey", written over the printed name and address.

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